

UNITED STATES DISTRICT COURT SOUTHERN  
DISTRICT OF NEW YORK

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INNOVATUS CAPITAL PARTNERS, LLC,

Plaintiff,

- against -

JONATHAN NEUMAN, ANTONY MITCHELL, RITZ  
ADVISORS, LLC, GREG WILLIAMS, DARYL  
CLARK, AND AMANDA ZACHMAN,

Defendants.

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MV REALTY PBC, LLC,

Plaintiff,

- against -

INNOVATUS CAPITAL PARTNERS, LLC,

Defendant.

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l:18-cv-04252-LLS

**DECLARATION  
OF JOSEPH  
SCHOTTLAND**

Pursuant to 28 U.S.C. 1746, Joseph Schottland, under penalty of perjury, swears to the truth of the following statements:

1. I am a partner in Innovatus Capital Partners, LLC ("Innovatus"), plaintiff in the first above-referenced matter and defendant in the second above-referenced matter. I make this Declaration in support of Innovatus' Letter Motion to permit Innovatus to file its Interrogatory Responses under seal. I have personal knowledge of the facts and circumstances set forth herein.
2. A copy of the Interrogatory Responses are attached hereto. The sealed copy of the Interrogatory Responses filed herewith highlights those portions which Innovatus wishes to redact from the public record.

3. As set forth in the accompanying Letter Motion, the information contained in the Interrogatory responses that Innovatus wishes to redact include (1) Innovatus' proposed marketing strategy for the contemplated business venture with the defendants in the first above-captioned action and the plaintiff in the second above-captioned action (the "MV Realty Parties") and the reasons for following that strategy (pp. 2, 4, 5-6); (2) Innovatus' proposed steps for evaluating the viability of the proposed business model in advance of launch (pp. 6-7); (3) the specific contractual provisions Innovatus concluded were necessary for a successful launch, including price provisions and provisions for maintaining the confidentiality of the relevant contracts, and the reasons for including specific contractual and pricing provisions (pp. 6-12); (4) identification of industry sources that Innovatus turned to for researching the market for the contemplated venture (p. 7, 15-16, 20-21); (5) business procedures to be implemented once the business was launched to assure success (pp. 11-15); (6) the specific elements that comprised and went into developing the financial business models developed by Innovatus (pp.16-20), including specific revenue projections (p. 19); and (7) steps Innovatus undertook to prepare the business model for launch (pp. 18-19).

4. Innovatus has taken steps to preserve the confidentiality of the information that Innovatus wishes to file under seal. Among other things, Innovatus requested the MV Realty Parties to sign non-disclosure agreements before Innovatus shared the information with them.

5. Keeping this information sealed from public view is consistent with the protection Innovatus has afforded these materials, and allowing it to be available to the public would undermine Innovatus' efforts to keep it confidential. In addition, Innovatus, like the MV Realty Parties, is also marketing right to list transactions, the line of business that it contemplated entering into with the MV Realty Parties and which the MV Realty Parties are pursuing in violation of their

non-circumvention obligations contained in the NDAs they signed with Innovatus. The information contained in the Interrogatory responses would provide a roadmap for any potential competitor to Innovatus, and should be sealed from public view for that reason.

Sworn to Under Penalty of Perjury Pursuant to 28 U.S.C. § 1746.

*Joseph Schottland*

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JOSEPH SCHOTTLAND

Dated: New York, New York  
August 28, 2020